

because of the politics and patriotism reflected in ownership.

It is the potential of vast hydrocarbon resources beneath the seabed that has caused this dispute to become a flash point in East Asia. The energy needs of the developing claimants have made the exploitation of oil and gas beneath the South China Sea especially attractive.

The U.N. Convention on the Law of the Sea—perhaps the world's greatest diplomatic achievement for having established internationally accepted laws for three-fourths of the earth's surface—can provide the framework for a diplomatic solution. For example, it prescribes the methods for determining boundaries. Of the claimants, the Philippines and Vietnam have ratified the convention.

To Beijing, however, ownership is nine-tenths of the law. While advocating a diplomatic solution, it has aggressively placed encampments and markers in contested areas of the Spratlys. This "talk and take" pattern was most recently illustrated in China's occupation of Mischief Reef in Philippine-claimed territory.

China's cavalier attitude to international law is also shown by its 1992 territorial sea law. This declares Chinese jurisdiction over virtually all of the South China Sea—a claim that has no basis in modern international law.

China must play by the rules. Washington encourages Beijing to join the international community in many different areas, from nuclear proliferation to human rights. But Washington finds itself in a poor position to persuade Beijing to ratify the Law of the Sea accord without having done so itself.

U.S. administrations had resisted ratification because of inequities in the deep-seabed-mining provisions. But changes to the convention have addressed U.S. objections.

Last year, with strong Defense Department backing, the White House signed the amended Convention on the Law of the Sea and sent it to the Senate for ratification.

America's ability to influence a peaceful settlement of the Spratly Islands dispute would be enhanced by U.S. ratification of the treaty. In light of the tensions in the South China Sea, this step should be taken soon.

EXHIBIT 4

[From The Christian Science Monitor, June 22, 1995]

COLLISION IN THE CHINA SEA—WORLD OIL AND SHIPPING LANES AT STAKE IN MULTINATION DISPUTE

(By Lloyd R. Vasey)

East Asia's economic momentum may grind to a premature halt unless political

leaders find a way to defuse tensions over territorial disputes in the South China Sea. With several countries on a collision course, a major regional crisis is waiting to happen.

At issue are claims of sovereignty over the Spratly and Paracel Islands—hundreds of islets and reefs and surrounding seas believed to be rich in oil, gas, and other resources. China, which urgently needs new energy sources, is the central disputant; others include Vietnam, Brunei, Malaysia, the Philippines, and Taiwan. China's claims are historically based, going back several centuries when the South China Sea was an area of preeminent Chinese influence and power. Currently they have no basis in international law, and claims of some of the other countries are also questionable.

The prevailing view in Asia is that China is deliberately expanding its geopolitical influence in the region. This perception was dramatically reinforced in 1992 when the Chinese People's Congress declared ownership of the waters around the Spratlys and Paracels and readiness to use military power to defend its interests. The claim would make the South China Sea a virtual Chinese lake straddling shipping lanes carrying huge volumes of global trade, including the oil lifelines of Japan and South Korea.

Indonesia and other countries of the Association of Southeast Asian Nations (ASEAN) have convened unofficial forums seeking to resolve the disputes, but progress on the issues has stalled.

Regional tensions escalated last month when Philippine president Fidel Ramos challenged China's "illegal" occupation of a small atoll in the Spratlys aptly named Mischief Reef.

It lies well within the Philippine's 200 mile Exclusive Economic Zone but also within the area claimed by Beijing.

China hasn't hesitated to use force in asserting territorial claims. In 1974 it seized most of the Paracel islands east of Vietnam. In 1988, the two engaged in bloody clashes over the Spratlys.

Indonesians are deeply suspicious of China's revision of a map that now depicts part of the maritime area around Natuna island, hundreds of miles south of the Spratlys, to be under Chinese jurisdiction. Indonesia's military leaders have announced that they will defend their national interests by force if necessary. What makes the issue particularly irksome to Indonesia is that a \$35 billion deal involving a United States oil company was signed last year to help develop the Natuna gas field, possibly one of the world's largest.

Such colliding claims ought to alert Washington to pay much closer attention to this high-stakes strategic game. The implications for American interests are disturbing: future access to resources, freedom of the seas, the balance of power, and regional stability are all involved.

The US should now revamp its policy of relying on ASEAN even when important American interests are involved. Instead, the US should volunteer to act as honest broker to work out production-sharing agreements for joint development of resources in contested areas, and request disputants to put sovereignty claims on hold. These claims should be resolved through international law and the UN Convention on the Law of the Sea. For its own credibility the US needs to complete ratification of the Law of the Sea Treaty, now in the Senate. Leadership won't cost Washington an extra dime, nor will it require any troops. Crisis prevention is what it's all about.

RECESS UNTIL 8:40 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 8:40 tomorrow morning.

There being no objection, the Senate, at 9:38 p.m., recessed until Wednesday, June 28, 1995, at 8:40 a.m.

NOMINATIONS

Executive nominations received by the Senate June 27, 1995:

JUDICIARY

TODD J. CAMPBELL, OF TENNESSEE, TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE, VICE THOMAS A. WISEMAN, JR., RETIRED.

JAMES M. MOODY, OF ARKANSAS, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS, VICE HENRY WOODS, RETIRED.

EVAN J. WALLACH, OF NEVADA, TO BE A JUDGE OF THE U.S. COURT OF INTERNATIONAL TRADE, VICE EDWARD D. RE, RETIRED.

U.S. INFORMATION AGENCY

ALBERTO J. MORA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM OF 2 YEARS. (NEW POSITION.)